



# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MON, MARCH 10, 2008  
7:00P.M.**

### **OPENING MATTERS**

**CALL TO ORDER**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### **PROCLAMATIONS AND PRESENTATIONS**

**Mayoral Proclamation:** to the American Red Cross, accepted by Adrienne Grieve Executive Director, in honor of American Red Cross month.

### **PUBLIC COMMENT – AGENDA MATTERS:**

*Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.*

*All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.*

*Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.*

## **APPROVAL OF AGENDA AND MINUTES**

**Tab 2. AGENDA:** Council Meeting of March 10, 2008

**Tab 3. MINUTES:** Council Meeting of February 25, 2008

### **Tab 4. Consent Agenda Legislation**

**Resolution** – authorizing the exoneration of outstanding City property taxes, penalties and interest for the year 2007 for 1218, 1220 & 1226 Elm Street, 214, 218A, 220, 220A, 222, 222A, 224, 226, 228, 230, 235 Locust Street and 1060 Benner's Court, Reading, Pennsylvania owned by the Reading School District (Solicitor & Council Staff).

**Resolution-** authorizing the Mayor to sign a Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program agreement to receive funding, in the amount of \$25,000.00, for the Hillside Playground Renovation Project. (Grants Coordinator/Managing Director)

**Resolution-** requesting a traffic study to support the installation of a stop sign on N. Front Street at the Amity or Pike intersections and on Walnut Street at the N. Front Street Intersection (Councilors Baez and Waltman)

## **ADMINISTRATIVE REPORTS**

### **REPORT FROM OFFICE OF THE AUDITOR**

### **REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS**

Human Relations Commission, Kim Talbot Administrator

### **Tab 5. ORDINANCES FOR FINAL PASSAGE**

**Bill No. 13-** Increasing the salary of the Finance Director to \$71,872.42 per annum retroactive to January 1, 2008. (Managing Director) *Introduced at the 01/28/08 Regular Meeting of Council; discussed at the 02/11/08 Committee of the Whole; tabled at the 02/11/08 Regular Meeting; further tabled at the 02/25/08 Regular Meeting.*

**Bill No. 18-** authorizing the Mayor to execute documents to effectuate the transfer of ownership of premises known as 1019-1021 Penn Street, 1016, 1022 and 1028 Court Street from St. Joseph Hospital to the City of Reading. (Solicitor) *Introduced at the 02/11/08 Regular Meeting of Council; discussed at the 02/25/08 Committee of the Whole; tabled at the 02/25/08 Regular Meeting.*

**Pending - referred to Council Committee  
for further review and amendment**

**Bill No. 21-** amending the City of Reading Codified Ordinances, Chapter 6 – Conduct, by creating a new Part 8- Solicitation, requiring a permit for solicitation and canvassing to protect the safety, health and welfare of those who live and visit the City of Reading. (Chief of Police-Council Staff) *Introduced at the 02/11/08 Regular Meeting; tabled at the 02/25/08 Regular Meeting;*

**Bill No. 26-** an Ordinance amending the Codified Ordinances of the City of Reading, Chapter 1 – Section 1-186, 3, G, by adding a new (3) requiring Council approval for all expenditures, transfers and/or allocations from and/or to any and all Agency Funds and any and all line-items located in the Departmental: Non Departmental area of the General Fund (Council Pres. Spencer- Council Staff)

**Tab 6. INTRODUCTION OF NEW ORDINANCES**

**Ordinance-** amending the Codified Ordinances of the City of Reading, Chapter 1, Part 5, Section “N” – Citizens Environmental Advisory Board, by changing the name of the Environmental Advisory Board to Environmental Advisory Council.  
(Environmental Advisory Board/Council Staff)

**Ordinance-** amending the Zoning Ordinance and Zoning Map by changing the R-3 zoning designation to an R-1 zoning designation in Council District 1 to include parcels with the personal identification numbers (PIN) 530654145536, 530653140352, 530653036926, 530653033998, 530661035444, 530654149617, 530646158196, 530646158196, 530646155975. (Councilor Fuhs)

**Ordinance** - authorizing a reallocation in the amount of \$5,000.00 from the City Council Salary line item to the City Council Community Promotions line item and authorizing that sum to be transferred to Baseballtown Charities (Councilor Marmarou & Council Staff)

**Ordinance** - Amending Chapter 21 - Streets and Sidewalks – in the City’s Codified Ordinances to provide enforcement powers to Engineering Office of Public Works.  
(Public Works Dept & Solicitor)

## Tab 7. RESOLUTIONS

Pending – information requested at the  
2-25 Council Meeting not yet received

**Resolution 27-2008** - authorizing the Mayor to execute an operating agreement between the City of Reading and the Redevelopment Authority, stipulating the reimbursement to the Authority, by the City, for all expenses associated with the employment of a fulltime Executive Director. (Solicitor) *Tabled at the 02/25/08 Regular Meeting*

**Resolution 28-2008** - endorsing the City Park Master Plan (Council Staff/Mayor's Office) *Endorsed by the City of Reading Planning Commission at the 12/13/07 meeting; tabled pending further review at the 02/25/08 Regular Meeting of Council.*

**Resolution-** authorizing the administration to negotiate and execute a professional services agreement with Black & Veatch Corporation, of Philadelphia, for design and related services for the Wastewater Treatment Plant Upgrades Project for a maximum not to exceed price of \$12,954,355 and authorizing the issuance of an Advanced Notice to Proceed to allow certain critical, time sensitive design activities to begin before a contract is executed. (Public Works Director)

**Resolution** – appointing Joseph Kuzminski to the Reading Area Water Authority (Administrative Oversight Committee) *Discussed at the 2-4-08 Committee Meeting and the 2-25-08 Committee of the Whole Meeting*

**Resolution** – appointing Jonathan Del Collo to the Board of Ethics (Administrative Oversight Committee) *Discussed at the 2-4-08 Committee Meeting and the 2-25-08 Committee of the Whole Meeting*

**Resolution** – expressing support for Senate Bill 777, which would allow local municipalities to choose how to collect their delinquent real estate taxes and enable them to utilize the Municipal Claims and Tax Liens Act, 53 P.S. §7101 et. seq., to pursue such tax claims (Solicitor)

**Resolution** – authorized the execution of the necessary documents for an energy savings project including, but not limited to, a certain contractual agreement between Honeywell International Inc. and the City of Reading (Public Works Dept & City Solicitor).

**Resolution** – to adopt the City of Reading Emergency Operations Plan and requiring that this Plan be reviewed on an annual basis to make certain that it conforms to the requirements defined by the Berks County Emergency Operations Guidelines.  
(Emergency Management Coordinator & Council Staff)

**Resolution** – authorizing the execution of a contract for the

## **PUBLIC COMMENT – GENERAL MATTERS**

## **COUNCIL BUSINESS / COMMENTS**

## **COUNCIL MEETING SCHEDULE**

### **Monday, March 10<sup>th</sup>**

*Meeting with the Mayor – Mayor’s Office at 4:00 p.m.*

*Committee of the Whole- Council Office at 5:00 p.m.*

*Regular Meeting- Council Chambers at 7:00 p.m.*

### **Monday, March 17<sup>th</sup>**

*Meeting with the Mayor - Mayor’s Office at 4:00 p.m.*

*Public Works Committee Meeting - Council Office at 5:00 p.m.*

*Administrative and Land Use Committee – Council Office at 5:00 p.m.*

*Work Session – Penn Room at 7 p.m.*

### **Friday, March 21<sup>st</sup> – Holiday - City Hall Closed**

### **Monday, March 24<sup>th</sup>**

*Meeting with the Mayor-, Mayor’s Office at 4:00 p.m.*

*Committee of the Whole - Council Office at 5:00 p.m.*

*Regular Meeting- Council Chambers at 7:00 p.m.*

### **Monday, March 31<sup>st</sup> fifth Monday)**

## **BAC AND COMMUNITY GROUP MEETING SCHEDULE**

### **Monday, March 10<sup>th</sup>**

Charter Board Meeting at 7 p.m. in the Penn Room

***Tuesday, March 11<sup>th</sup>***

Centre Park Historic District annual Spring Town Meeting at 7:30 at the Artifacts Bank

Airport Authority Meeting 8:15 a.m. at the Airport.

Reading Area Water Authority Work Shop 5 p.m. in the Penn Room

Planning Commission 7 p.m. Penn Room

***Wednesday, March 12<sup>th</sup>***

Fire Diversity Board 5 p.m. in the Penn Room

Zoning Hearing Board 5:30 p.m. in the Penn Room

***Thursday, March 13<sup>th</sup>***

Police Pension Board 11 a.m. in the Penn Room

***Monday, March 17<sup>th</sup>***

Library Board 5 p.m. at the Main Branch

***Tuesday, March 18<sup>th</sup>***

HARB 7:30 p.m. in the Penn Room

***Wednesday, March 19<sup>th</sup>***

Officers and Employees Pension Board 2:30 p.m. in the Penn Room

***Thursday, March 20<sup>th</sup>***

Convention Center Authority 7 a.m. at the Sovereign Center

***Friday, March 21<sup>st</sup> – Holiday - City Hall Closed***

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## City of Reading City Council

### Regular Meeting Monday, February 25, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Rev. Laddie Benton.

All present pledged to the flag.

#### ATTENDANCE

Council President Spencer  
Councilor S. Fuhs, District 1  
Councilor M. Goodman-Hinnershitz, District 2  
Councilor D. Sterner, District 3  
Councilor S. Marmarou, District 4  
Councilor M. Baez, District 5  
Council J. Waltman, District 6

Managing Director L. Churchill  
City Solicitor C. Younger  
City Auditor D. Cituk  
City Clerk L. Kelleher  
Public Works Director C. Jones  
Capt. R. Shafer (Sgt. at Arms)

#### PROCLAMATIONS AND PRESENTATIONS

City Council and the Administration issued a posthumous commendation honoring S. Henry "Hank" Lessig for his many years of dedicated service to the City of Reading.

#### PUBLIC COMMENT

Council President Spencer announced that six citizens were registered to address Council this evening; three on agenda matters and three on non-agenda matters. He inquired if anyone objected to suspending the public speaking rules to allow all citizens to speak at this point in the meeting. As no

one objected, the rules were suspended. He reminded those registered to speak that those commenting on agenda matters shall limit their remarks to five minutes and those commenting on general matters shall limit their remarks to three minutes.

**Barry Miller**, of Douglass Street, noted the irony of honoring the service of S. Henry Lessig at the same meeting where Council is considering the adoption of legislation that, in a way, attempts to subvert from the Charter's residency requirement. He asked Council to deeply consider the overall effects the enactment of this reorganization ordinance.

**Bill Woolworth**, of Penn St, encouraged Council to approve the resolution adopting the City Park Master Plan as it will provide the venue to restore City Park in a phased manner.

**Dan Gallagher**, of Penn St, representing the Penns' Commons neighborhood group stated that City Park lies at the heart of the Penns' Commons district and the City. He noted how this park has provided outdoor living space to the City's residents from the time land was dedicated by William and Thomas Penn. He stated that the master plan will provide procedures and a schedule to preserve the park and its rich history.

**Oswald Herbert**, of West Reading, expressed the belief that the new housing permit process will work to improve Reading's housing stock. He congratulated Council and the Administration for implementing this ordinance. He described some problems he has experienced with scheduling the required inspections and questioned the codes staff interpretation and application of the ordinance.

**Rev. Laddie Benton**, of N. 10<sup>th</sup> St, described the problematic attitude of Water Authority employees. He expressed the belief that the water utility should be run by elected officials who can be held accountable by the electorate. He described the problem he has had with getting proper assistance from the Water Authority to settle delinquent bills.

**Donna Reed**, of Argonne Road, announced the arrival of the banners for the Pagoda's 100<sup>th</sup> birthday. She also noted the problems that occur when Parking Authority enforcement officers issue tickets during funeral services. She suggested that parking regulations should not apply to those attending funerals.

## **APPROVAL OF AGENDA**

Council President Spencer called Council's attention to the agenda for this meeting and the minutes from the February 11, 2008 regular meeting of Council. He announced that the award of contract to Video Safety Network for the installation of security cameras will be withdrawn from the agenda.



Councilor Fuhs moved, seconded by Councilor Baez, to approve the minutes from the February 11, 2008 regular meeting of Council and the agenda, as amended, including the legislation listed under the consent agenda heading.

### **CONSENT AGENDA**

**Award of Contract-** for Sodium Hydroxide for the Department of Public Works and City of Reading, on behalf of the Reading Area Water Authority, to Brentag Northeast Inc. at a total estimated bid price of \$139,420.00 **(Purchasing)**

**Award of Contract-** for Sodium Permanganate, Potassium Permanganate and Extruded Potassium Permanganate for the Department of Public Works and City of Reading, on behalf of the Reading Area Water Authority, to Brentag Northeast Inc. at a total estimated bid price of \$411,603.00 **(Purchasing)**

**Resolution-** requesting the City of Reading and Met Ed install street lighting in the alleyway behind the 1700 blocks of North 3rd and Rose Streets. **(Councilman Waltman)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixture, from a 400 watt mercury vapor to a 250 watt high pressure sodium vapor in front of 1210 Hampden Blvd. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixtures, from a 250 watt mercury vapor to a 150 watt high pressure sodium vapor in front of 1600 Perkiomen Ave. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixtures, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor in front of 1716 Hill Rd. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixture, from a 400 watt mercury vapor to a 250 watt high pressure sodium vapor in front of 1820 Kutztown Rd. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor in front of 514 Crestmont Street. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor in front of 615 Front St. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade a company owned street light fixture, from a 175 watt mercury vapor to a 100 watt high pressure sodium vapor in front of 820 Lehigh Street. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to upgrade 2 company owned street light fixtures, from a 400 watt mercury vapor to a 250 watt high pressure sodium vapor in front of 649 and 850 Lancaster Avenue. **(Traffic Engineering)**

**Resolution-** directing Met-Ed Energy to provide energy to 6 company owned street light fixtures. The fixtures will be a 250 watt high pressure sodium vapor, installed along Hancock Blvd. **(Traffic Engineering)**

## **ADMINISTRATIVE REPORT**

Managing Director Churchill highlighted the report distributed to Council at the meeting covering the following:

- Funding for security cameras – to date only the City’s contribution and private contributions have been secured totaling \$400,000. The remaining funds have been committed but not yet obtained. The project’s total cost is \$1.5 million.
- Update on the Mayor’s Kids for a Clean City Club

Council President Spencer inquired if the City has approached the State and Federal elected officials about the delay in receiving contributions towards the security camera project. Managing Director Churchill stated that the Administration has begun to contact State and Federal elected officials.

Councilor Fuhs reminded all that the City has hired a lobbyist to assist in these efforts. He questioned the lobbyist’s progress in assisting the City in obtaining these funds. Managing Director Churchill stated that the City has utilized the lobbyist’s services.

## **AUDITOR’S REPORT**

City Auditor Dave Cituk read the report provided to Council at the meeting covering the following:

- 2008 Admissions Fee/Tax
- Real Estate Transfer Tax 2004 - 2008

## **DIRECTORS, BOARDS, AUTHORITIES, COMMISSIONS REPORT**

O. Christopher Miller, Chair of the Historical Architectural Review Board (HARB), provided an overview of the activities of this eleven member board. He stated that the Board’s main function is to review applications for Certificates of

Appropriateness for applicable changes in the façade of buildings located in the City's four historic districts. He described the guidelines used to weigh the proposed projects. He stated that in 2005 the HARB considered 82 Certificates of Appropriateness. In 1986, HARB considered 123 Certificates of Appropriateness and in 2007 HARB considered 157 Certificates of Appropriateness. He explained that approximately five per year are appealed to City Council. He described the positive impact historic districts have on buildings within the boundaries.

Council President Spencer commended HARB for their work to undertake this effort. He also noted the Board's willingness to find a reasonable compromise with applicants.

Councilor Waltman thanked HARB for undertaking the responsible effort to make very difficult decisions.

### **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 13-2008** - Increasing the salary of the Finance Director to \$71,872.42 per annum retroactive to January 1, 2008. **(Managing Director)** *Introduced at the 01/28/08 Regular Meeting of Council; discussed at the 02/11/08 Committee of the Whole; tabled at the 02/11/08 Regular Meeting.*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to table Bill 13-2008.

Bill 13-2008 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President -7.

Nay: None - 0.

**Bill No. 17-2008** - an Ordinance amending the Codified Ordinances of the City of Reading, Berks County, Pennsylvania, Chapter 1 Administration and Government, Part 1 Administrative Code, H. Department Organization, Section 1-182 Chart, by making the following adjustments: placing the office of Information Technology under the Finance Department; placing the Citizens Call Center under the Finance Department placing the office of Neighborhood Development under the Police Department; placing Code Services and Zoning enforcement under the Police Department and defining the reporting relationship of Municipal Authorities. **(Managing Director/Solicitor)** *Introduced at the 02/11/08 Regular Meeting of Council; discussed at the 02/25/08 Committee of the Whole.*

**Councilor Waltman moved, seconded by Councilor Sterner, to enact Bill 17-2008.**

Managing Director Churchill explained that a few years ago City Council approved a reorganization that separated departments such as Codes, IT, and Zoning away from the Community Development and Finance departments to the Managing Director's office. He described the benefits of combining the activities of Codes and Zoning with Police. He also noted other benefits that will occur through reconnecting these services with various departments which will bring the City's operations into compliance with the Charter.

Council President Spencer asked the City Solicitor to comment on the Commonwealth Court ruling on residency.

City Solicitor Younger explained that the Commonwealth Court's decision stated that the change in Adam Mukerji's title does not escape the need for the City to comply with the Charter's residency requirement. He expressed the belief that the proposed reorganization will bring these operations into compliance.

Councilor Waltman noted the need for the City Administration to find the proper vehicle to correct this issue and avoid future court challenges and complaints to the Charter Board. He stressed the need to fix areas open to interpretation and added that the City's continued "cat and mouse" game makes our City government look bad.

Councilor Goodman-Hinnershitz questioned the need to reorganize. She stated that, while she could support some individual moves, she cannot express this wholesale change. She noted that compliance with the Charter's residency requirement has existed since 1996. She reminded everyone of the need for all employees and elected officials to comply with the terms of the Charter.

Council President Spencer expressed the belief that the City's current organization will have a negative impact on some middle management employees.

Councilor Sterner noted the complexity of this issue. He stated that the Charter's residency requirements have many tentacles that could affect the many managers.

Councilor Fuhs stated that he will not support the reorganization as it is subject to litigation. He noted the importance of obtaining a court ruling on the City's compliance with its Constitution. He stated the belief that the proposed reorganization does not attend to subvert from the Charter but instead falls within the Administration's ability to propose changes in its organizational structure.

Councilor Goodman-Hinnershitz expressed the belief that the organizational structure currently in place works well. She stated that she does not agree with changes that will not increase the effectiveness of the overall organization.

Council President Spencer reiterated the meaning of the proposed reorganization.

Managing Director Churchill announced the Administration's desire to end litigation on this matter.

Councilor Waltman stated that he will agree to organizational changes that will improve the overall effectiveness and efficiency to City operations.

Councilor Fuhs expressed the belief that the approval of this reorganization will create a new thrust for litigation.

Councilor Baez stated that the City and City Council have wasted too much time discussing this issue. She called for the question.

**Bill 17-2008 was NOT enacted by the following vote:**

**Yea: Sterner Spencer President – 2.**

**Nay: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Waltman – 5.**

**Bill No. 18-2008** - authorizing the Mayor to execute documents to effectuate the transfer of ownership of premises known as 1019-1021 Penn Street, 1016, 1022 and 1028 Court Street from St. Joseph Hospital to the City of Reading. *(Solicitor) Introduced at the 02/11/08 Regular Meeting of Council; discussed at the 02/25/08 Committee of the Whole.*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Fuhs, to table Bill 18-2008.

**Bill 18-2008 was tabled by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President -7.**

**Nay: None – 0.**

**Bill No. 19-2008** - amending the Codified Ordinances of the City of Reading by adding to Chapter 10- Health and Safety, by creating Part 15 – The Regulation and Limitation of Portable Home Storage Units. **(Council Staff)** *Introduced at the 02/11/08 Regular Meeting of Council.*

**Councilor Fuhs moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill 19-2008.**

Public Works Director Jones explained that these pods are used by Reading residents when they are preparing to change homes. He stated that these pods are dropped off and the resident moves their belongings into the unit. The unit is then picked up and moved to the new location. He noted the various problems that could occur without proper legislation to regulate the use of these units.

City Clerk Kelleher stated that the Public Works Department asked Council staff to research this issue and draft an ordinance that will provide proper regulation. She stated that the ordinance is based on that used in other cities and the City's Dumpster Ordinance.

**Bill 19-2008 was enacted by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President -7.**

**Nay: None – 0.**

**Bill No. 20-2008** - an Ordinance amending the City of Reading Codified Ordinances Fee Schedule, by increasing Park and Recreation fees. **(Council Staff/Public Works) Introduced at the 02/11/08 Regular Meeting.**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to enact Bill 20-2008.**

Councilor Goodman-Hinnershitz noted the need for timely review and change to the fees applied for various City services.

**Bill 20-2008 was enacted by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President -7.**

**Nay: None – 0.**

**Bill No. 21-2008** - amending the City of Reading Codified Ordinances, Chapter 6 – Conduct, by creating a new Part 8- Solicitation, requiring a permit for solicitation and canvassing to protect the safety, health and welfare of those who live and visit the City of Reading. **(Council Staff) Introduced at the 02/11/08 Regular Meeting.**

Councilor Waltman moved, seconded by Councilor Baez, to table Bill 21-2008.

Bill 21-2008 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President -7.

Nay: None - 0.

Council President Spencer referred this ordinance to committee.

**Bill No. 22-2008** - increasing the salary of the City Solicitor to \$68,002 per annum. (Managing Director) *Introduced at the 02/11/08 Regular Meeting.*

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill 22-2008.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to amend Bill 22-2008 to eliminate an increase to the Solicitor's base salary and instead provide a one-time, lump sum payment of \$1,852 equal to a 2.5% merit increase.

The amendment to Bill 22-2008 was approved by the following vote:

Yea: Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President - 6.

Nay: Fuhs - 1.

Bill 22-2008 was enacted, as amended, by the following vote:

Yea: Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President - 6.

Nay: Fuhs - 1.

Councilor Fuhs stated that he will not support any salary increases due to new information presented the City Administration concerning the City's finances.

**Bill No. 23-2008** - amending Section 1-271 of the City of Reading Personnel Code, by amending the salary range for the Chief of Police. (Managing Director) *Introduced at the 02/11/08 Regular Meeting.*

Councilor Waltman moved, seconded by Councilor Goodman-Hinnershitz to table Bill 23-2008.

Bill 23-2008 was tabled by the following vote:

**Yea:** Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 6.

**Nay:** Fuhs – 1.

**Bill No. 24-2008** - increasing the salary of the Police Chief to \$104, 766.48 per annum, retroactive to January 23rd, 2008. **(Managing Director) *Introduced at the 02/11/08 Regular Meeting.***

Councilor Marmarou moved, seconded by Councilor Baez, to enact Bill 24-2008.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to amend Bill 24-2008 by eliminating a base salary increase for the Police Chief and making a one-time, lump sum payment of \$4,029.28 representing a 4% merit increase.

The amendment to Bill 24-2008 was approved by the following vote:

**Yea:** Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman – 5.

**Nay:** Fuhs, Spencer President – 2.

Bill 24-2008 was enacted, as amended, by the following vote:

**Yea:** Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 6.

**Nay:** Fuhs – 1.

Councilor Goodman-Hinnershitz noted the skill and accomplishments of Chief Heim and the positive impact he has had on the Reading Police Department.

**Bill No. 25-2008** - an Ordinance providing a cost of living increase to Officers and Employees Pensioners retiring before 2002. **(O&E Pension Board/Pension Coordinator/Council Staff) *Introduced at the 02/11/08 Regular Meeting.***

Council President Spencer moved, seconded by Councilor Waltman, to enact Bill 25-2008.

City Auditor Cituk noted that these pension participants have not had an increase since 2001 and earlier. He noted the need to treat all pensioners fairly.



**Bill 25-2008 was enacted by the following vote:**

**Yea: Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 6.**

**Nay: Fuhs – 1.**

## **INTRODUCTION OF NEW ORDINANCES**

Council President Spencer read the following Ordinance into the record:

**Ordinance-** an Ordinance amending the Codified Ordinances of the City of Reading, Chapter 1 – Section 1-186, 3, G, by adding a new (3) requiring Council approval for all expenditures made from any and all agency funds and any and all line items and allocations made in the “Department: Non-Departmental” are of the General Fund Budget. **(Council Staff)**

## **RESOLUTIONS**

**Resolution No. 15-2008** - authorizing the assumption of outstanding loan balance for the Medical Arts Building. **(Solicitor) *Tabled at the 02/11/08 Regular Meeting of Council.***

**Councilor Waltman moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 15-2008.**

Councilor Waltman noted the need for the City to evaluate these requests separately and base decisions on the merits of the issue. He noted his belief in the intent of Mr. Galante, the new owner of the Medical Arts Building.

Councilor Goodman-Hinnershitz that this proper compromise will result in the further rehabilitation of an important downtown office building.

Councilor Fuhs announced that he will not support this resolution as the City will lose their first lien collection position.

Council President Spencer agreed with the statement made by Councilor Fuhs and noted the need for future applicants to present business plans with their requests.

**Resolution 15-2008 was adopted by the following vote:**

**Yea: Baez, Goodman-Hinnershitz, Marmarou, Waltman – 4.**

**Nay: Fuhs, Sterner, Spencer President -3**

**Resolution 27-2008** - authorizing the Mayor to execute an operating agreement between the City of Reading and the Redevelopment Authority, stipulating the reimbursement to the Authority, by the City, for all expenses associated with the employment of a fulltime Executive Director. **(Solicitor)**

**Councilor Fuhs moved, seconded by Councilor Sterner, to adopt Resolution 27-2008.**

Managing Director Churchill explained that the adoption of this resolution will allow the Redevelopment Authority to employ an Executive Director whose expenses will be billed to the City. He noted that financing for the Redevelopment Authority's Executive Director was approved in the 2008 budget.

Councilor Waltman and Councilor Goodman-Hinnershitz noted that they will not support this resolution until the exact costs are delineated.

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to table Resolution 27-2008.**

**Resolution 27-2008 was tabled by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.**

**Nay: None – 0.**

**Resolution 28-2008** - endorsing the City Park Master Plan **(Council Staff/Mayor's Office)**

**Councilor Sterner moved, seconded by Councilor Waltman, to adopt Resolution 28-2008.**

**Councilor Baez moved, seconded by Councilor Goodman-Hinnershitz, to table Resolution 28-2008.**

**Resolution 28-2008 was tabled by the following vote:**

**Yea: Baez, Goodman-Hinnershitz, Marmarou, Spencer President – 4.**

**Nay: Fuhs, Sterner, Waltman – 3.**

Council President Spencer explained that the resolution was tabled to allow Councilors to have more time to review the plan.

**Resolution 29-2008** - appointing Patricia Cavanaugh to the Reading Library Board. (Administrative Oversight)

**Resolution 30-2008** - reappointing Phillip Rabena to the Zoning Hearing Board. (Administrative Oversight)

**Resolution 31-2008** - appointing Carson Kober-Mazurkawicz to the Planning Commission. (Administrative Oversight)

**Resolution 32-2008** - reappointing Jess Cwiklinski to the Police Civil Service Board. (Administrative Oversight)

**The Administrative Oversight Committee moves to adopt Resolution 29-2008, Resolution 30-2008, Resolution 31-2008, and Resolution 32-2008.**

Councilor Baez expressed her belief in the skill and qualifications of all listed candidates.

**Resolution 29-2008, Resolution 30-2008, Resolution 31-2008 and Resolution 32-2008 was adopted by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.**

**Nay: None – 0.**

### **COUNCIL COMMENT**

Councilor Waltman agreed with the need for further discussion on the City's residency requirement. He noted the total dedication of Hank Lessig to City issues. He stated that Mr. Lessig never had an agenda but only the desire to improve the City of Reading.

Councilor Baez expressed her sympathy to the Lessig family. Councilor Baez noted the upcoming Jamestown Community meeting scheduled for Thursday, February 28.

Councilor Goodman-Hinnershitz agreed with the need to set the framework for the rehabilitation of City Park in a master plan.

Councilor Goodman-Hinnershitz noted the dedicated contribution of Hank Lessig on many City issues and campaigns of those wishing to run for public office.

Councilor Goodman-Hinnershitz announced a Town Meeting at St. Mary's Roman Catholic Church on Thursday, February 28 at 7 pm.

Councilor Sterner announced upcoming community meetings in District 3.

Council President Spencer reminded all of the upcoming Council meeting schedule.

**Councilor Marmarou moved, seconded by Councilor Sterner, to adjourn the regular meeting of Council.**

*Respectfully submitted by Linda A. Kelleher, City Clerk*

**RESOLUTION NO. \_\_\_\_\_**

**AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2007 FOR 1218, 1220 AND 1226 ELM STREET; 214, 218A, 220, 220A, 222, 222A, 224, 226, 228, 230 AND 235 LOCUST STREET; AND 1060 BENNER'S COURT, READING, BERKS COUNTY, PENNSYLVANIA.**

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:**

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2007, for certain properties on Elm, Locust Streets and Benner's Court, Reading, Berks County, Pennsylvania, as set forth on Exhibit A (attached) which are owned by the Reading School District.

2008

Passed Council \_\_\_\_\_,

\_\_\_\_\_

President of Council

Attest:

\_\_\_\_\_

City Clerk

**EXHIBIT A****2007 REAL ESTATE TAX**

PROPERTY ADDRESS	TAX PARCEL NUMBER	PLACEMENT AMOUNT
214 Locust Street	09-5317-70-11-3540	\$6,095.72
218 A Locust Street	09-5317-70-11-3545	\$71.94
220 Locust Street	09-5317-70-11-3516	\$107.91
220 A Locust Street	09-5317-70-11-3517	\$107.91
222 Locust Street	09-5317-70-11-3518	\$89.93
222 A Locust Street	09-5317-70-11-3519	\$45.56
224 Locust Street	09-5317-70-11-6311	\$32.37
226 Locust Street	09-5317-70-11-3613	\$32.37
228 Locust Street	09-5317-70-11-3625	\$26.38
230 Locust Street	09-5317-70-11-3626	\$28.78
235 Locust Street	09-5317-70-11-4742	\$4.80
1218 Elm Street	09-5317-70-11-8814	\$267.38
1220 Elm Street	09-5317-70-11-8834	\$201.43
1226 Elm Street	09-5317-70-11-8864	\$261.38
1060 Benner's Court	09-5316-29-08-9299	\$69.95

# AGENDA MEMO

THOMAS McMAHON, MAYOR  
LEON CHURCHILL, MANAGING DIRECTOR

**TO:** City Council  
**FROM:** Charles Jones, Director of Public Works  
**PREPARED BY:** Cindy DeGroote, Grants Coordinator  
**MEETING DATE:** March 10, 2008  
**AGENDA MEMO DATE:** March 5, 2008  
**REQUESTED ACTION:** Council approve a resolution to authorize the Mayor to sign a Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program Grant agreement to receive funding for the Hillside Playground Renovation Project

## RECOMMENDATION

The Administration recommends Council approve a resolution authorizing the Mayor to sign a Community Conservation Partnerships Program Grant agreement to receive \$25,000 for the renovation of Hillside Playground.

## BACKGROUND

The State Department of Conservation and Natural Resources' Community Conservation Partnerships Program provide grant funds to meet recreation, park and conservation needs in neighborhoods, communities and regions while fostering and maintaining partnerships within the aforementioned neighborhoods, communities, and regions. The funding was secured through Senator O'Pake's office. The City intends to renovate Hillside Playground by providing new play equipment, new safety surface, site furnishings, and ADA accessibility. The need for the rehabilitation of this site has been identified as a priority in the City's Ten Year Park, Recreation and Open Space Plan (adopted May 2002). Matching funds have been allocated through the City's Capital Improvement Program funds (\$70,000) and Community Development funds (\$115,000).

## BUDGETARY IMPACT

None

## PREVIOUS ACTION

None

**SUBSEQUENT ACTION**

None

**REVIEWED BY**

Director of Public Works, Managing Director and Mayor

**RECOMMENDED MOTION**

Approve/Deny the resolution to authorize the Mayor to sign a Community Conservation Partnerships Program Grant agreement to receive funds for the renovation of Hillside Playground.

**RESOLUTION NO. \_\_\_\_\_-2008**



**RESOLUTION AUTHORIZING THE APPLICATION FOR A  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
GRANT FOR THE PURPOSES OF REHABILITATING HILLSIDE  
PLAYGROUND.**

**WHEREAS**, the City of Reading desire to renovate Hillside Playground; and

**WHEREAS**, THE City of Reading desire to apply to the Department of Conservation and Natural Resources for a grant for the purposes of carrying out this project; and

**WHEREAS**, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Signature Page for Grant application and Grant Agreement"; and

**WHEREAS**, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant", including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department of Conservation and Natural Resources if the applicant is awarded the grant; and

**WHEREAS**, the applicant understands that, by signing the "Signature Page for Grant Applicant and Grant Agreement" and submitting it to the Department as part of the grant application, the applicant agrees to the terms and conditions of the grant and will be bound by the Grant Agreement if the Department of Conservation and Natural Resources awards a grant; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Mayor is authorized to sign the "Signature Page for Grant Application and Grant Agreement" on behalf of the applicant.
2. If this official signed the "Signature Page for Grant application and Grant Agreement" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Signature Page for Grant Application and Grant Agreement", signed by the Mayor will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any Amendment to the Grant Agreement may be signed on behalf of the grantee by the official who, at the time of signing of the amendment, has the title specified in paragraph one (1) and the grantee will be bound by the amendment.

Adopted by Council\_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, citizens of the City of Reading have identified streets in certain neighborhoods to be unsafe for pedestrian traffic due to the high volume of vehicular traffic; and

**WHEREAS**, City Council requests that the Public Works Department undertake traffic studies and work with PennDOT to support the installation of stop signs and/or traffic signals at certain intersections.

**NOW THEREFORE, the Council of the City of Reading hereby resolves as follows:**

Requesting the City of Reading Public Works Department to undertake traffic studies and work with PennDOT to support the installation of stop signs at the following locations:

- On North Front Street at either the Pike Street or Amity Street intersections
- On Walnut Street at the North Front Street intersection.

Adopted by the City of Reading City Council on the \_\_\_\_ day of \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk



## **AGENDA MEMO MANAGING DIRECTOR**

**TO:** President Spencer and Members of the City Council

**FROM:** Leon Churchill, Managing Director

**MEETING DATE:** January 28, 2008

**AGENDA MEMO DATE:** January 18, 2008

**RECOMMENDED ACTION:**

To approve an Ordinance presented by the Administration relating to the annual salary for Ryan Hottenstein, Finance Director, for the City of Reading.

**RECOMMENDATION:**

It is the recommendation of this Administration to increase the salary for the Finance Director to \$71,872.42 (5%) percent increase, effective upon his anniversary date. The performance evaluation supporting this recommended action was conducted as per our City Ordinance No. 22-2002, which provides for a performance review of department heads to be completed by the Managing Director.

**BACKGROUND:**

It is this Administration's position to make the salary level for all department directors as equitable and fair as possible.

Mr. Hottenstein helped in settling the four interest rate swaps which netted the City over \$8 million. The Finance Department also has increased its tax collections over the past year.

Mr. Hottenstein helped in the restructuring of the City organization. The Pension Bond had good timing which netted the City more of a capital gain.

**BUDGETARY IMPACT:**

The increase amounts to \$3,422. Funds are available in the City's General Fund in the Finance Department budget in various accounts.

**PREVIOUS ACTION:**

Not applicable.

**SUBSEQUENT ACTION:**

Not applicable.

**RECOMMENDED BY:**

The Mayor and Managing Director

**RECOMMENDED MOTION:**

Increase the present salary of the Finance Director to \$71,872.42.

**B I L L N O. \_\_\_\_\_**

**A N O R D I N A N C E**

**AN ORDINANCE INCREASING THE SALARY OF THE FINANCE DIRECTOR, RYAN HOTTENSTEIN, IN ACCORDANCE WITH SECTION 706. OF THE CITY OF READING HOME RULE CHARTER AND BILL NO. 22-2002 WHICH ESTABLISHED A PROCEDURE FOR CITY COUNCIL TO PROVIDE ANNUAL INCREASES TO THE CITY'S DEPARTMENT DIRECTORS.**

**WHEREAS**, Ryan Hottenstein was confirmed, by City Council, as the City's Finance Director on December 19, 2005; and

**WHEREAS**, City Council passed Bill No. 22-2002, on June 24, 2002, which states that a Department Director shall receive an annual salary adjustment based upon a performance evaluation; and

**WHEREAS**, Ryan Hottenstein received a performance evaluation which is satisfactory, meeting motivational standards, he is entitled to a salary increase to \$71,872.42 (5%).

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1. COMPENSATION.**

The salary of the Ryan Hottenstein shall be increased to \$71,872.42 per annum retroactive to January 1, 2008.

**SECTION 2. REPEALER.**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**SECTION 3. EFFECTIVE DATE.**

This ordinance shall become effective 10 days after its adoption in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2008

Attest:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
City Clerk

**BILL NO. \_\_\_\_\_-2008**

## AN ORDINANCE

**AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED TO EFFECTUATE THE TRANSFER OF OWNERSHIP OF PREMISES KNOWN AS 1019-1021 PENN STREET, 1016, 1022 AND 1028 COURT STREET, READING, BERKS COUNTY, PA FROM ST. JOSEPH HOSPITAL TO THE CITY OF READING.**

**WHEREAS**, the City of Reading is interested in acquiring ownership of property known as 1019-1021 Penn Street, 1016, 1022 and 1028 Court Street, Reading, Berks County, Pennsylvania (Mapped PIN # 5317-77-00-7358; 5317-77-00-7395; 5317-77-00-7434; 5317-77-00-7498; and 5317-77-00-8414 respectively); and

**WHEREAS**, the owner of said property is St. Joseph Hospital, which is willing to convey said premises for a sum certain of \$125,000; and

**WHEREAS**, the City of Reading finds that acquisition of subject premises pursuant to said condition is acceptable.

**NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

1. **SECTION 1.** The Mayor is authorized to execute any and all documents required to effectuate the transfer of the ownership of premises known as 1019-1021 Penn Street, 1016, 1022 and 1028 Court Street, Reading, Berks County, Pennsylvania, from St. Joseph Hospital, to the City of Reading for the purchase price of \$125,000.

**SECTION 2.** This Ordinance shall be effective ten (10) days after passage and approval by the Mayor.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

**BILL NO. \_\_\_\_\_-2008**  
**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF READING CHAPTER 1 – SECTION 1-186, 3, G BY ADDING A NEW (3) REQUIRING COUNCIL APPROVAL FOR ALL EXPENDITURES, TRANSFERS AND ALLOCATIONS FROM AND TO ANY AND ALL AGENCY FUNDS AND ANY AND ALL LINE-ITEMS LOCATED IN THE DEPARTMENTAL: NON DEPARTMENTAL AREA OF THE GENERAL FUND.**

**THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Amending the Codified Ordinances of the City of Reading Chapter 1, Section 1-186, 3, G by adding a new (3) shown below:

**3. Regulations Concerning Appropriations and Transfers.**

A. The authorization and expenditure of all funds and preparation of department budgets shall be in accordance with a policy adopted by the Council and a procedures manual to be prepared and periodically reviewed and updated by the Department of Finance. Expenditures shall be executed in a uniform manner for every City Department.

B. The Director of Finance shall prepare and submit a monthly report to the Mayor, the Managing Director, and Council. This monthly report shall include all expenditures for each City Department, and status reports comparing those expenditures with the adopted budget, as well as any Department justification of transfer of funds within departments and between departments.

C. In order to allow flexibility in the administration of the City's business, departments may transfer money between line items within the department. A majority of Council, in response to any monthly report, may place a limit on the amount of additional excess expenditure allowed for any program or line item. This is not intended to restrict unduly the Mayor's ability to manage and administer the budget.

D. Justification for transferring money between departments must be presented to and approved by Council. The procedures manual will stipulate the following:

(1) Expenditure procedures.

(2) Justification procedures for transferring money between line items.



- (3) Justification procedures for transferring money between departments.
- (4) Administration of petty cash funds.

*E. Requiring an amendment to the City's annual Budget Ordinance authorizing the transfer of all monies including, but not limited to, transfers between departments, and transfers in and out of any City fund, account or line item either attached in part or unattached to a departmental budget. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred. [Ord. 36-2000]*

F. Requiring an amendment to the City's annual Budget Ordinance to authorize any cumulative modification to any departmental overall budget or line item exceeds \$25,000. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred at least 2 weeks before the transfer is required. [Ord. 36-2000]

G. Requiring City Council approval, via ordinance, for the following:

- (1) Salary increases that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees.
- (2) All expenditures not approved and listed in the operating or capital budgets for the fiscal year.

**(3) All expenditures, transfers and/or allocations from and/or to any and all Agency Funds and any and all line-items located in the Departmental: Non Departmental area of the General Fund.**

**SECTION 2.** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or re-passage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

**ORDINANCE NO. \_\_\_\_\_-2008**

**AMENDING THE CODIFIED ORDINANCES CHAPTER 1, PART 5, SECTION “N”  
CITIZENS ENVIRONMENTAL ADVISORY BOARD, BY CHANGING THE NAME OF  
THE ENVIRONMENTAL ADVISORY BOARD TO ENVIRONMENTAL ADVISORY  
COUNCIL.**

**SECTION 1:** Part 5 Boards, Departments, Commissions, Committees and Councils, Chapter 1 Administration and Government of the City of Reading Codified Ordinances is hereby amended as follows; all other provisions of the City of Reading Codified Ordinances inconsistent herewith are repealed.

**§ 1-599.41. PURPOSE**

The ~~EAB~~ EAC dually organized under these bylaws shall have the power to study environmental and sustainability issues at the request of City Council and make recommendations to Council on those issues. The ~~EAB~~ EAC will work with City Council in an advisory capacity in an effort to help Council analyze environmental and sustainability issues and when appropriate issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Berks County.

**§ 1-599.42. MEMBERSHIP**

- 1) The ~~EAB~~ EAC is composed of seven (7) voting members, chosen to serve three year staggered terms and appointed by City Council. These members shall reflect the geographic, demographic, technical, and non-technical backgrounds of the citizens of Reading.
- 2) Advisory Board Council members having three or more unexcused absences in a calendar year may be replaced by City Council. Notification of potential dismissal from the Advisory Council will be mailed by the Chair to the board member following a second absence within a calendar year.

**§ 1-599.43. MEETINGS AND VOTING**

- 1) Monthly meetings. Regular meetings of the ~~EAB~~ EAC will be determined by the membership of the ~~EAB~~EAC. Notices of a ~~EAB~~ EAC meetings will be posted on the City of Reading website, the Municipal Access Channel and if necessary, a newspaper of general record.

- 2) Special Meetings. Special meetings may be requested by the Chair, or by a majority of the ~~EAB~~-EAC members. Such special meetings shall be held at such place, date and hour as may be designated by the person or persons authorized herein to call such a meeting.
- 3) Written or phone notice of such a special meeting shall be given by the Chair to the Advisory ~~Board~~ Council members at least five(5) days and not more than twenty-one (21) days prior to the meeting. City Council and the public shall be notified for such meetings in appropriate manner; i.e. posting the date, time and location on the City website, posting on the municipal access channel, sending a letter to City Council, etc.
- 4) Quorum. In the event a quorum is not present at any meeting, the members may reschedule the meeting for a later date with the required notice. A quorum shall consist of more than 2/3 of the current voting members. The act of the majority of the members present at a meeting at which a quorum is present shall be the act of the ~~Board~~ Council.
- 5) Voting. Each member is entitled to one vote, with the voting governed by parliamentary procedure according to Robert's Rules of Order.
- 6) Notes: notes from meetings will be kept and copies of the meeting's notes will be sent to the City Clerks Office and each member of the ~~EAB~~EAC.
- 7) All meetings or portions of meetings at which action is taken shall be open to the public. However, the ~~EAB~~EAC may meet in closed session for discussion purposes, pursuant to "The Sunshine Act of 1987."

#### **§ 1-599.44. OFFICERS AND COMPENSATION**

- 1) Officers. The ~~EAB~~EAC shall elect from among their members a Chair and a Vice-Chair at the first meeting of each calendar year. Officers shall serve for one year or until their successors are elected.
- 2) Chair. The Chair shall preside at all meetings of the ~~Board~~ Council and shall have the duties and powers normally invested in the Office of Chair. He/she shall enforce the by laws and regulations of the ~~EAB~~EAC. He/she shall be the official spokesperson for the ~~EAB~~EAC.
- 3) Vice-Chair. The Vice-Chair shall carry out the Chair's duties in case of absence, incapacity, or resignation.

- 4) Secretary. The Secretary will be responsible for keeping the official minutes of the EABEAC and preparing all correspondence on behalf of the EABEAC.
- 5) Compensation. No board member shall receive any salary or payment for his/her services. Financial support of the EABEAC can be provided by City Council through the authorization of an appropriation to the General Fund Budget.

#### **§ 1-599.45. DUTIES**

- 1) To coordinate at the request of Council ongoing, and to propose and promote new environmental protection and sustainability initiatives among residents, businesses, governmental and non-governmental agencies, and educational organizations through education and outreach programs.
- 2) To advise and make recommendations to City Council, City Administration, and City boards, authorities and commissions on policies and programs that infuse the work of City government with an operating philosophy based on environmental protection and sustainability.
- 3) To recommend plans and programs to the appropriate agencies for promotion and conservation of natural resources and for the protection and improvement of the quality of the environment within the City of Reading and surrounding areas.
- 4) Make recommendations as to the possible use of open land areas within the the City of Reading.
- 5) To promote community environmental awareness programs.
- 6) Keep an index of all open areas, publicly or privately owned including but not limited to: flood prone areas, wetlands and other unique natural areas.
- 7) To prepare an annual report to City Council on its activities, goals and accomplishments.
- 8) For each issue that the EABEAC reviews, it will generate a report to City Council that sets forth its findings and dissenting opinions if any.
- 9) To consult and cooperate with other agencies, departments, boards, authorities and commissions of the City of Reading on environmental matters.

#### **§ 1-599.46. BYLAWS**

- 1) The ~~Environmental Advisory Board~~ Environmental Advisory Board Council Bylaws will be drafted and adopted by City Council.

- 2) If at any time the established bylaws are determined to be at conflict with ~~EAB~~ EAC activities or impose too great a set of constraints, the ~~EAB~~EAC may request City Council amend the bylaws. The request, along with specific recommendations must be submitted to City Council in writing. Upon receiving a request for amendment, City Council will meet with representatives of the ~~EAB~~ EAC to discuss the request. Amendments to the ~~EAB~~EAC bylaws must be approved by City Council through Resolution.
- 3) City Council reserves the right to amend the bylaws of the ~~EAB~~ EAC through the adoption of subsequent Resolutions.

#### **§ 1-599.47. HEARINGS**

- 1) In addition to those required by law, the ~~EAB~~EAC may hold public hearings when the ~~EAB~~EAC and City Council decide that such hearings will be in the public interest.
- 2) Except as required by law, notice of the time and place of such hearings, when on matters of widespread interest, shall be published in at least one newspaper of general circulation in the territorial jurisdiction of the hearing, not earlier than two weeks prior to the hearing. For matters of limited territorial interest, notice shall be given in such manner as is deemed appropriate by the ~~EAB~~EAC.
- 3) The matter before the ~~EAB~~EAC shall be presented in summary by some person designated by the Chair, and parties in interest shall have privilege of the floor.
- 4) No record or statement shall be recorded or sworn to by the ~~EAB~~EAC as evidence for any Court of Law without notice to the parties mentioned in the record or statement.
- 5) A record shall be kept of those speaking before the ~~EAB~~ EAC at such hearings.
- 6) Copies of all testimony and other evidence provided at a Public Hearing must be forwarded to the City Clerks Office at the conclusion of the hearing.

#### **§ 1-599.48. INTER MUNICIPAL COOPERATION**

- 1) No part of this Ordinance shall prohibit the Reading Environmental Advisory Board Council from cooperating with similar organizations in other jurisdictions.

- 2) In the interest of efficiency the Reading Environmental Advisory Board- Council may wish to form a joint board with other jurisdictions. Any merger shall be treated as an amendment of this ordinance requiring the approval of City Council.

**SECTION 2: Effectiveness of Ordinance.** This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

BILL NO. \_\_\_\_\_-2008  
AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE AND MAP BY CHANGING THE R-3 ZONING DESIGNATION TO AN R-1 ZONING DESIGNATION IN COUNCIL DISTRICT 1 TO INCLUDE PARCELS WITH THE PERSONAL IDENTIFICATION NUMBERS 530654145536, 530653140352, 530653036926, 530653033998, 530661035444, 530654149617, 530646158196, 530646158196, 530646155975.

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** The Zoning Ordinance and Map of the City of Reading is amended to by changing the R-3 zoning designation to an R-1 zoning designation in Council District 1 to include parcels with the personal identification numbers (PIN) 530654145536, 530653140352, 530653036926, 530653033998, 530661035444, 530654149617, 530646158196, 530646158196, 530646155975.

**SECTION 2.** All other provisions of the City of Reading Zoning Ordinance of the City of Reading shall remain unchanged and in full force and effect.

**SECTION 3.** Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

***(Councilor Fuhs & Council Staff)***

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

BILL NO. \_\_\_\_\_  
AN ORDINANCE

**AUTHORIZING A REALLOCATION IN THE AMOUNT OF \$5,000.00 FROM THE CITY COUNCIL SALARY LINE ITEM TO THE CITY COUNCIL COMMUNITY PROMOTIONS LINE ITEM AND AUTHORIZING THAT SUM TO BE TRANSFERRED TO BASEBALLTOWN CHARITIES.**

**WHEREAS**, Councilman Stratton Marmarou was elected to City Council on November 8<sup>th</sup> 2005 and took office January 2<sup>nd</sup>, 2006; and

**WHEREAS**, 53 P.S. Section 39361 prohibits a beneficiary serving in an elective office from receiving additional compensation from the entity which provides their pension; and

**WHEREAS**, City Council elects to transfer the amount budgeted for his salary to a designated project or program that supports the City of Reading and its residents.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

That the \$5,000.00 budgeted for the 2008 salary of Councilman Marmarou be transferred from City Council Salary line item to the Community Promotions line item and authorizing that sum to be transferred to Baseballtown Charities, a non-profit 501(c)(3) charitable organization founded to keep baseball alive in Reading so youngsters can benefit from the many life lessons the game teaches.

Adopted by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk



**RESOLUTION No. \_\_\_\_\_**

Whereas, the City of Reading desires that the Redevelopment Authority of the City of Reading perform certain services on its behalf; and

Whereas, the Redevelopment Authority of the City of Reading desires that the City of Reading provide certain services and benefits to it in return for its provision of services to the City of Reading;

Whereas, the City of Reading and the Redevelopment Authority of the City of Reading have determined that a certain Operating Agreement between them is in their best interests; now, therefore,

The Council of the City of Reading hereby resolves as follows:

That Mayor Thomas M. McMahon be authorized to execute the Operating Agreement between the City of Reading and the Redevelopment Authority of the City of Reading (attached as Exhibit A) on behalf of the City of Reading.

Passed Council \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

OPERATING AGREEMENT  
BETWEEN  
THE CITY OF READING AND  
THE REDEVELOPMENT AUTHORITY OF THE CITY OF READING

This Operating Agreement, dated as of February \_\_\_\_, 2008, between the City of Reading, a Pennsylvania municipal corporation, organized and existing under the Optional Home Rule Charter Law, having a business address of 815 Washington Street, Reading, Berks County, Pennsylvania (the “City”).

AND, the Redevelopment Authority of the City of Reading, a Pennsylvania urban redevelopment authority, organized and existing under the Pennsylvania Urban Redevelopment Act, having a business address of 815 Washington Street, Reading, Berks County, Pennsylvania (the “Authority”).

BACKGROUND

WHEREAS, the Authority has been incorporated pursuant to an ordinance of the Council of the City and is existing under provisions of Pennsylvania urban redevelopment law; and

WHEREAS, the Authority, by virtue of the Pennsylvania urban redevelopment law, has power and authority, among other things, to acquire property by gift, purchase or condemnation; to create urban redevelopment areas; to designate redevelopers in urban redevelopment areas; to enter into redevelopment contracts for the development of parcels owned by it; to assist the City with its community development projects; and to obtain financing and grants for use in conjunction with urban redevelopment projects.

WHEREAS, the City, for and in consideration of the covenants, conditions, agreements and stipulations of the Authority hereinafter expressed, desires that the Authority perform certain services on its behalf; and

WHEREAS, the Authority desires that the City provide certain services and benefits to it in return for its provision of services to the City; and

WHEREAS, the parties hereto desire to set forth the terms and conditions under which the Redevelopment Authority of the City of Reading will perform certain services and functions on behalf of the City of Reading.

NOW, THEREFORE, the Authority and the City, in consideration of the agreements, conditions and covenants herein contained, each intending to be legally bound, covenant and agree as follows:

DEFINITIONS

The terms defined in this Section 1.1 for all purposes of this agreement, as defined herein, shall have the meanings herein specified, unless the context clearly otherwise requires:

Administrative Expenses - means any and all administrative expenses of the

Authority occurred in connection with the day to day management and day to day administration of the Authority, including, without limitation, compensation and expenses of officers and staff of the Authority; printing, advertising, postage, engineering, architectural and auditing fees and expenses; fees and expenses of any authorized depository; fees and expenses of the Authority's professional advisors; and other items of general administrative expense incurred by the Authority related to operations of the Redevelopment Authority.

Board - means the governing body of the Authority.

Commonwealth - means the Commonwealth of Pennsylvania.

Debt Service Expenses - means all costs and expenses in connection with any debt of the Authority now existing or hereafter incurred in connection with the redevelopment of portions of the City including principal, interest, redemption price, paying agent expenses, and any and all other expenses incurred by the Authority, directly or indirectly, in connection with any such debt.

Fiscal Year - means the fiscal year of the Authority as provided by the laws of the Commonwealth.

Duties of the Redevelopment Authority

The Redevelopment Authority agrees and covenants to carry out community redevelopment, economic development and related activities in the City of Reading on behalf of the City of Reading.

The Redevelopment Authority covenants and agrees to acquire properties in slum or blighted areas in the City of Reading for community redevelopment on behalf of the City of Reading.

The Redevelopment Authority agrees and covenants to acquire real property in the City of Reading when necessary to eliminate unhealthful, unsanitary, or unsafe conditions; lessen density; eliminate obsolete or other uses detrimental to the public welfare; or otherwise to remove or prevent the spread of blight or deterioration or to provide land for needed public facilities on behalf of the City of Reading.

The Redevelopment Authority covenants and agrees to disseminate community redevelopment information to potential redevelopers of property in the City of Reading on behalf of the City.

The Redevelopment Authority agrees and covenants to assist potential redevelopers of properties in the City of Reading with the formation of their plans to redevelop portions of the City; obtaining grant funding and federal, state or county loans which may be available for said projects and navigation of the City's subdivision and land development process on behalf of the City of Reading.

The Redevelopment Authority covenants and agrees to borrow money and to apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government or the state, county or other

public body or from any source, public or private, to carry out the above responsibilities.

#### Duties of the City of Reading

The City of Reading hereby agrees to reimburse the Redevelopment Authority for all costs associated with employment of an executive director. Reimbursements to be made by the City of Reading to the Redevelopment Authority shall include the following, but are not limited thereto:

The salary of the executive director which shall be set by the Redevelopment Authority from time to time in consultation with the City of Reading and approved by the City of Reading as part of its annual budgetary process.

An automobile and fuel for the same, as well as the provision of maintenance and insurance for said automobile, on behalf of the Redevelopment Authority's Executive Director.

The costs of the Redevelopment Authority and the Executive Director of same incurred as a result of entertaining potential redevelopers and marketing the City to them.

Medical and fringe benefits for the Executive Director of the Redevelopment Authority comparable to the same medical and fringe benefit received by the City of Reading employees.

The City of Reading will provide administrative support staff to the Executive Director of the Redevelopment Authority for the accomplishment of the Redevelopment Authority's duties as set forth herein.

The City of Reading shall pay for or reimburse the Redevelopment Authority for all administrative expenses as defined herein which are not covered or attributable to the project costs of an ongoing redevelopment project.

The City of Reading shall provide office space to the Redevelopment Authority's Executive Director within a municipally owned building or reimburse the Redevelopment Authority for the cost of said office space if the City is unable to provide the same within a municipally owned building.

The City shall provide the Redevelopment Authority Board with appropriate office space to hold its Board meetings within a municipally owned building at no cost to the Redevelopment Authority.

#### JOINT COVENANT OF THE CITY AND THE REDEVELOPMENT AUTHORITY

The City and the Redevelopment Authority covenant and agree to make their respective personnel available to one another in such a manner as may be mutually determined to be in the best interests of furthering the expeditious and effective completion of the redevelopment goals of the City and the Authority.

#### MISCELLANEOUS

The City agrees to review the Redevelopment Authority budget for each fiscal year

and to provide any recommendations it may have to the Authority, no later than the thirtieth (30th) day preceding the first day of each fiscal year.

The City shall keep accurate records with respect to the Redevelopment Authority's finances and have an audit made of the same annually, to be submitted to the Authority.

The City and the Redevelopment Authority shall perform their obligations and duties under this Agreement in a competent and businesslike manner and shall exercise due care, diligence and control in connection with the costs, fees and expenses related to such performance so that the City of Reading will receive the benefits accruing from the proper and efficient operation of the Redevelopment Authority.

The Authority shall keep on file with the City, at all times, complete and current copies of all resolutions, including amendments, supplements and/or revisions, adopted by the Authority in any manner pertaining to the redevelopment of portions of the City of Reading.

Upon termination of this Agreement, the Authority and the City, promptly, but in no event more than sixty (60) days after the date of such termination, shall make final settlement with respect to this Agreement and each shall do whatever properly and reasonably shall be necessary to effectuate and ensure an orderly transition.

If any provision hereof shall be held to be invalid, such invalidity shall not affect any other provision hereof, and the remaining provisions hereof shall be construed and shall be enforced as if such invalid provision had not been contained herein.

#### TERM

The term of this Agreement shall be for a period of ten (10) years and shall renew automatically for successive terms of ten (10) years at its expiration if neither party notifies the other of its intent to terminate this Agreement as provided for herein.

#### TERMINATION OF AGREEMENT

Either party may terminate this Agreement by providing the party of the other part with three (3) months written notice of its intention to terminate the same.

#### APPLICABLE LAW

This Agreement shall be deemed to have been made in the Commonwealth of Pennsylvania and shall be governed and construed in accordance with the laws of the Commonwealth of Pennsylvania. Any disputes hereunder shall be submitted to the Berks County Court of Common Pleas or the United States District Court for

the Eastern District of Pennsylvania.

#### NOTICES

Notices, demands or requests required or permitted to be made pursuant to, under or by virtual disagreement must be in writing and mailed, postage pre-paid, by certified or registered mail, return receipt requested or delivered by Federal Express or other reputable overnight delivery service providing written evidence of delivery, or by hand-delivery addressed as follows:

If to City:                      City of Reading  
   c/o Managing Director  
   815 Washington Street  
   Reading, PA 19601

with a copy to:                      City of Reading  
   c/o City Solicitor  
   815 Washington Street  
   Reading, PA 19601

If to Authority:                      Redevelopment Authority of the City of Reading  
   c/o Executive Director  
   815 Washington Street  
   Reading, PA 19601

with a copy to:                      Barley Snyder LLC  
   c/o Timothy G. Dietrich, Esquire  
   P.O. Box 942  
   501 Washington Street, 5th Floor  
   Reading, PA 19603-0942

Such notices, demands or requests shall be deemed to have been given and delivered on the earlier of the date of actual receipt thereof or (i) if delivered by Federal Express or other reputable overnight delivery service, on the business day next succeeding the date on which the same was delivered by the sender to such courier for overnight delivery, or (ii) if by United States certified mail, as of three (3) business days after the date of mailing. Either party may change the address to which such notices, demands or requests shall be mailed hereunder by written notice of such new address served on the other party in accordance with the provisions of this Section. Notice given by legal counsel on behalf of any party shall be deemed to be given by such party.

#### AMENDMENTS

This Agreement may not be amended or modified except in writing executed by the parties hereto.

ENTIRE AGREEMENT

This Agreement constitutes the entire understanding of the parties concerning the subject matter hereof and no representations, inducements, promises or agreements, oral or otherwise, not embodied herein shall be of any force or effect.

COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be regarded for all purposes as an original; and such counterparts shall constitute but one in the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

CITY OF READING

By:

\_\_\_\_\_

Name:

Title:

REDEVELOPMENT AUTHORITY OF  
THE CITY OF READING

By:

\_\_\_\_\_

Name:

Title:

RESOLUTION NO. \_\_\_\_\_-2008

**A RESOLUTION ENDORSING THE CITY OF READING CITY  
PARK MASTER PLAN.**

**WHEREAS**, in adopting a Master Plan, the City of Reading has laid out goals, policies, and objectives for the development of City Park; and

**WHEREAS**, park conditions were evaluated and required improvements within the park identified. It is intended that the Master Plan serve as the basis for further design and construction refinements as the plan is implemented; and

**WHEREAS**, the City Park Master Plan organizes around five major objectives: (1) maintain, protect and enhance the natural qualities of City Park, (2) emphasize the importance of reestablishing the primacy of pedestrians use of City Park, (3) re-establish lost elements of the park where practical, (4) re-establish the ability to interact with water, (5) ensure improvements do not create unreasonable maintenance demands; and

**WHEREAS**, the City of Reading, in cooperation with Simone Collins Landscape Architecture, has undertaken an intensive planning process that seeks to involve all relevant parties in an open and transparent manner; and

**NOW THEREFORE BE IT RESOLVED**, the Reading City Council, hereby endorses the City Park Master Plan submitted by Simone Collins Landscape Architecture and attached hereto as Exhibit A; and

**BE IT FURTHER RESOLVED**, that City Council requests the City Planning Commission review the Master Plan and determine if its incorporation into the City Comprehensive Plan is appropriate.

Passed Council \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

<b>TO:</b>	City Council
<b>PREPARED BY:</b>	Charles M. Jones, P.E., Public Works Director
<b>MEETING DATE:</b>	February 25, 2008
<b>AGENDA MEMO DATE:</b>	March 6, 2008



**REQUESTED ACTION:** To authorize the administration to enter into a professional services agreement with Black & Veatch Corporation for design and related services for the City of Reading Wastewater Treatment Plant Upgrades Project.

### **RECOMMENDATION**

Authorize the administration to negotiate and execute a professional services agreement with Black & Veatch Corporation of 601 Walnut Street, Suite 550W, Philadelphia, PA 19106 for design and related services for the Wastewater Treatment Plant Upgrades Project for a maximum not to exceed price of \$12,954,355. The issuance of an Advanced Notice to Proceed is also recommended so that certain critical, time sensitive design activities can begin before a contract is executed.

### **BACKGROUND**

The Consent Decree executed among the United States of America Department of Justice, the United States Environmental Protection Agency, the Commonwealth of Pennsylvania Department of Environmental Protection, and the City of Reading describes various improvements to be completed to the wastewater treatment plant, sanitary sewer collection system, and associated systems and programs. A new wastewater treatment plant must be substantially complete by October, 2012, so that it is imperative that design activities must begin promptly.

A Request for Qualifications was issued which generated nine responses. Four firms were shortlisted and a Request for Proposals was issued for the design services. Three of the four firms withdrew from consideration for various reasons. Black & Veatch submitted the only proposal for design services. A selection committee comprised of two City employees (technical), two City employees (non-technical), and two officials from outside of the City (City of Philadelphia and Borough of State College) reviewed the technical proposal, conducted a telephone conference to discuss the technical proposal and open the price proposal, and interviewed Black & Veatch. It is the opinion of the selection committee that Black & Veatch was responsive, submitted proposals that were within the requirements listed in the Request for Proposals, and has a clear understanding of the project and the rigid timelines listed in the Consent Decree.

### **BUDGETARY IMPACT**

The proposal includes a not to exceed fee of \$12,954,355. The final fee which will appear in the contract will be somewhat less than that figure. The site surveying work has already begun under a separate contract. Certain other reductions may also be considered. Sewer Capital Funds are available for the design services relating to the Wastewater Treatment Plant Upgrades Project.

### **PREVIOUS ACTION**

Council approved the Consent Decree on October 25, 2004. The Consent Decree describes the required improvements at the wastewater treatment plant.

### **SUBSEQUENT ACTION**

Additional contracts for project management, value engineering, and construction

management services will follow. The award of construction contracts will occur during 2009.

**REVIEWED BY**

The Mayor, Managing Director, Director of Finance, Director of Public Works, Utilities Division Manager, and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny authorization for the Administration to negotiate and execute a professional services agreement with Black & Veatch Corporation for design and related services for the Wastewater Treatment Plant Upgrades Project at a maximum not to exceed fee of \$12,954,355. Approve/Deny authorization for the issuance of an Advanced Notice to Proceed so that critical, time-sensitive, design activities may begin prior to contract negotiation, preparation, and execution.

**RESOLUTION NO. \_\_\_\_\_**

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:-

The Mayor is authorized to negotiate and execute a contract with Black & Veatch Corporation, for the design and related services for the City of Reading Wastewater Treatment Plant Upgrade Project, at a maximum not to exceed fee of \$12,954,355.00.

The Administration is authorized to issue an Advance Notice to Proceed to Black & Veatch Corporation to allow work to begin while the final contract is being negotiated.

ADOPTED BY COUNCIL \_\_\_\_\_ 2008

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CITY CLERK

R E S O L U T I O N NO. \_\_\_\_\_

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS

FOLLOWS:

That Joseph Kuzminski is appointed to the Reading Area Water Authority, with a term ending January 1, 2013.

Adopted by Council \_\_\_\_\_, 2008

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS  
FOLLOWS:

That Jonathan Del Collo is appointed to the Board of Ethics, with a term ending December 22, 2011.

Adopted by Council \_\_\_\_\_, 2008

\_\_\_\_\_  
Vaughn D. Spencer  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

RESOLUTION NO. \_\_\_\_\_ - 2008

EXPRESSION OF SUPPORT FOR SENATE BILL 777,  
AMENDING THE MUNICIPAL CLAIMS AND TAX LIENS LAW

WHEREAS, to be fair to all taxpayers within this city, it is necessary for the City of Reading to pursue the collection of delinquent real estate taxes;

WHEREAS, the City of Reading has determined that it should have the ability and the opportunity to choose how to collect their delinquent real estate taxes and that they be able to utilize the Municipal Claims and Tax Liens Act, 53 P.S. §7101 et. seq., to pursue such tax claims; and

WHEREAS, the City of Reading does not wish to be forced to collect delinquent taxes under the Real Estate Tax Sale Law and pay a 5% commission for the collection of these unpaid taxes; and

WHEREAS, there is important legislation before the Pennsylvania House of Representatives, Senate Bill 777, that would allow City of Reading and other cities, townships, boroughs and school districts the ability to choose how their delinquent real estate taxes are collected.

**NOW THEREFORE, THE CITY OF READING CITY COUNCIL HEREBY RESOLVES:**

THAT IT STRONGLY SUPPORTS SENATE BILL 777, AND URGES THAT THE PENNSYLVANIA STATE HOUSE QUICKLY CONSIDER AND APPROVE THE LEGISLATION AND THAT A COPY OF THIS RESOLUTION BE TRANSMITTED TO THE ELECTED REPRESENTATIVES IN THE PENNSYLVANIA GENERAL ASSEMBLY.

ADOPTED BY COUNCIL \_\_\_\_\_, 2008.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

Attest: \_\_\_\_\_  
CITY CLERK

**RESOLUTION NO. \_\_\_\_\_**

Whereas, the City of Reading has received a certain services proposal from Honeywell International Inc. for cost savings; and

Whereas, the City of Reading desires to contract with Honeywell International Inc. for an energy savings project ; now therefore,

The Council of the City of Reading hereby resolves as follows:

That Mayor Thomas M. McMahon be authorized to execute any and all necessary documents for a energy savings project including, but not limited to, a certain contractual agreement between Honeywell International Inc. and the City of Reading (see attached Exhibit).

Adopted by Council \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

**R E S O L U T I O N   NO.\_\_\_\_2008**

**THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:**

**WHEREAS**, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. Section 7101 et seq. mandates that the City of Reading prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within this City; and

**WHEREAS**, in response to the mandate stated above, the City of Reading has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency, disaster or situation; and

**WHEREAS**, the City of Reading has also prepared an emergency operations plan to reduce the potential affects of a major emergency, disaster, or situation and to protect the health, safety and welfare of the residents of the City.

**NOW THEREFORE**, the City of Reading City Council hereby approves, adopts and places into immediate effect the City of Reading Emergency Operations Plan. This Plan shall be reviewed on an annual basis to make certain that it conforms to the requirements defined by the Berks County Emergency Operations Guidelines.

Adopted this \_\_\_\_ day of \_\_\_\_\_, A.D., 2008.

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Vaughn D. Spencer, President of Council

Attest: \_\_\_\_\_  
Linda A. Kelleher, City Clerk